

EXHIBIT 1



Entered on Docket
June 11, 2008

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,
USA Capital Realty Advisors, LLC,
USA Capital Diversified Trust Deed Fund, LLC,
USA Capital First Trust Deed Fund, LLC,¹
USA Securities, LLC,²
Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR¹
Case No. BK-S-06-10729-LBR²

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING THIRD
OMNIBUS OBJECTION OF USACM
TRUST TO PROOFS OF CLAIM
BASED, IN WHOLE OR IN PART,
UPON INVESTMENT IN THE
MEADOW CREEK PARTNERS,
LLC LOAN**

Hearing Date: June 9, 2008

Hearing Time: 9:30 a.m.

¹ This bankruptcy case was closed on October 12, 2007.

² This bankruptcy case was closed on December 26, 2007.

1 Pending before the Court is the USACM Liquidating Trust's Third Omnibus
2 Objection of USACM Trust to Proofs of Claim Based, in Whole or in Part, Upon
3 Investment in the Meadow Creek Partners, LLC Loan (the "Objection") [DE 6245].
4 Adequate notice of the Objection was given. The Court heard the Objection on June 9,
5 2008. No responses were filed to the Objection and no opposition was raised at the
6 hearing. Good cause appearing,

7 IT IS ORDERED:

- 8 • Sustaining the Objection;
- 9 • Disallowing the Proofs of Claim listed on Exhibit A attached to the extent they
10 are based upon an investment in the Meadow Creek Partners, LLC Loan. The
11 Proofs of Claim listed in Exhibit A are not affected by this order to the extent
12 they are based upon an investment in a loan(s) other than the Meadow Creek
13 Partners, LLC Loan; and
- 14 • Reserving the right of any party in interest, including the USACM Trust, to
15 further object to the Proofs of Claim listed on Exhibit A attached.

16 ###

17 PREPARED AND SUBMITTED:

18 **LEWIS AND ROCA LLP**

19 By: /s/ RC (#0006593)

20 Susan M. Freeman

21 Rob Charles

22 John Hinderaker

23 *Attorneys for USACM Liquidating Trust*

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CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.
- ☒ No opposition was filed to the motion and no other party or counsel appeared at the hearing.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing, and any trustee appointed in the case, and each has approved or disapproved the order, or failed to respond, as indicated below:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
John Hinderaker
Attorneys for USACM Liquidating Trust

**MEADOW CREEK LOAN
THIRD OMNIBUS OBJECTION**

**EXHIBIT A
Multiple Loan Claims**

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Meadow Creek Loan
10725-02267	Daniel Living Trust as Amended Dated 1/9/98	Mark A. and Cathy A. Daniel Trustees 20 Redonda Irvine, CA 92620-1954	\$559,993.83	\$150,000.00
10725-00524	Jason D. and Fiola Fernandes	4001 Oak Manor Court Hayward, CA 94542-1445	\$151,359.38	\$58,071.84
10725-00720	D&P Curtis Trust Dated 7/27/01	Patricia M. and Dan L. Curtis Trustees 404 Club Court Las Vegas, NV 89144-0838	\$100,000.00	\$50,000.00
10725-00765	D&P Curtis Trust Dated 7/27/01	Patricia M. and Dan L. Curtis Trustees 404 Club Court Las Vegas, NV 89144	\$100,000.00	\$50,000.00
10725-01190	Porter A. Hurt	Bardellini Straw & Cavin LLP Attn: C. Randall Bupp 2000 Crow Canyon Place, Suite 330 San Ramon, CA 94583	\$200,000.00	\$100,000.00
10725-01999	KM Group, a Nevada General Partnership	Aime Kearns 5886 N. Bonita Vista Street Las Vegas, NV 89149	\$152,179.67	\$101,433.33
10725-02433	Michaelian Holdings LLC	413 Canyon Greens Drive Las Vegas, NV 89144-0829	\$1,267,075.50	\$100,000.00
10725-00693	Vicky Nakashima	1681 Fairburn Avenue Los Angeles, CA 90024	\$155,000.00	\$50,000.00